IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3062 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BHARATIBEN HARSHADKUMAR PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

1. Special Civil Application No. 3062 of 2003

MR DN KIRATSATA for Petitioner No. 1

MR NJ SHAH FOR

MR DN PATEL Sr. Central Govt. Standing Counsel for Respondent No. 1

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 26/03/2003

ORAL JUDGEMENT

1. Heard the learned counsel for the parties.

2. This petition has been filed for a direction to

the respondent passport authority to make correction in the passport issued to the petitioner regarding birth date of the petitioner as 9th March, 1955 in place of 10th March, 1955 as well as her name as Bharatiben Harshadkumar Patel in place of Mandakiniben Harshadbhai Patel.

3. Learned counsel for the petitioner states that the petitioner has orally requested the respondent authority for that purpose. However, the respondent authority has not accepted by the oral request of the petitioner saying that they have no authority to make correction in the passport unless an order passed by the Court of competent jurisdiction is produced on the record.

4. In the facts and circumstances of this case, this petition is allowed and the petitioner is directed to move a fresh application/representation to the respondent authority for the aforesaid purpose along with necessary documents within two weeks from today and if such application/reprersentation is made by the petitioner within stipulated time, the respondent authority is directed to consider and decide the application/representation filed by the petitioner and pass an appropriate order in accordance with law on the basis of the material produced by the petitioner, within a period of four weeks thereafter. The respondent authority would be at liberty to pass appropriate order with regard to the costs of these proceedings. Rule is made absolute to the aforesaid extent. D.S. is permitted.

(Kundan Singh, J.)

/JVSatwara/